

IN RE: PETITION FOR ZONING VARIANCE
N/S E. Joppa Road, 110' E of
Green Pasture Drive
(1608 E. Joppa Road)
9th Election District
4th Councilmanic District
George H. Rucker Realty Corp.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-18-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 51 parking spaces in lieu of the required 66 spaces as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Robert M. Boxley, Real Estate Representative, and Brent MacDonald, Area Manager of Operations, both with DavCo Food, Inc., Lessee of the subject property, appeared, testified and were represented by Stanley S. Fine, Esquire. Also appearing on behalf of the Petitioner was Anthony J. Cortez with STV Lyons Associates, Inc. There were no protestants.

Testimony indicated that the subject property, known as 1608 E. Joppa Road, is zoned B.R.-C.N.S. and B.R., and is the proposed location for a Wendy's Restaurant. The Lessee, DavCo Food, Inc. proposes building a 3,353 sq.ft. floor area restaurant with a seating capacity for 96 customers. Testimony indicated that while this site is slightly larger than the average Wendy's, the additional space will be used for preparation and storage to meet marketing needs. Testimony presented indicated that the Petitioner believes the 51 parking spaces to be provided will be more than adequate to meet the needs generated by the proposed use in light of the

high percentage of business done by Wendy's in its drive-thru and the Petitioner's experience in Baltimore County wherein a number of locations have a seating capacity for 96 customers but only provide 44 parking spaces due to a smaller size building.

Mr. MacDonald testified that he has been employed by DavCo Food, Inc. for the past 11 years and is familiar with the other Wendy's in this area. He testified that during their busiest time of day, usually at lunch time, the 44 parking spaces provided at other area locations are not used to capacity. Mr. MacDonald further testified that the requested variance will not harm the health, safety and general welfare of the public and will be in accordance with the spirit and intent of the zoning regulations. To further support Petitioner's position, numerous photographs of the area were presented along with a landscaping plan which the Petitioner contends has been approved as being in conformance with the Baltimore County Landscaping Manual. Mr. MacDonald indicated that unless the variance is granted, the Petitioner will sustain practical difficulty and unreasonable hardship.

The Petitioner seeks relief from Section 409.6A.2, pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the

district or whether a lesser relaxation than that applied for would give substantial relief; and
3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of July 1988 that the Petition for Zoning Variance to permit 51 parking spaces in lieu of the required 66 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall comply with the requirements of the Baltimore County Landscaping Manual and shall provide landscaping of the subject property at a minimum in compliance with the landscaping plan submitted herein and identified as Petitioner's Exhibit 2.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this

case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 7/27/88
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/27/88
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/27/88
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/27/88
By [Signature]

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. June 22, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on June 22, 1988.

TOWSON TIMES,

S. Z. [Signature]
Publisher

52.20

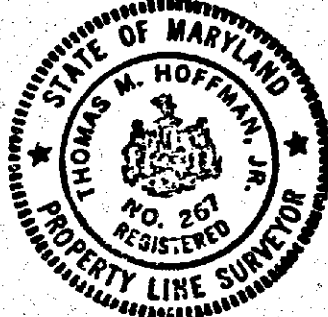
STV LYONS ASSOCIATES
ENGINEERS ARCHITECTS PLANNERS
21 GOVERNOR'S COURT
BALTIMORE, MD 21207-2722
301/944-9112

ZONING DESCRIPTION
PROPOSED WENDY'S RESTAURANT
NO. 1608 E. JOPPA ROAD
ELECTION DISTRICT 9 C4
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point along the north right-of-way line of E. Joppa Road (70' wide R/W), 110 feet, more or less, east of the end of a fillet at the northeast corner of the intersection of said E. Joppa Road and Green Pasture Drive, thence leaving said Joppa Road

1. North 06°26'37" West 257.49 feet, thence
2. North 80°00'19" East 130.17 feet, thence
3. South 06°26'37" East 260.69 feet to intersect said north right-of-way line of E. Joppa Road, thence binding on said line
4. South 81°24'21" West 130.55 feet to the point of beginning.

May 2, 1988
Thomas J. Hoffman
MD Reg. Property Line Surveyor No. 246



STV ENGINEERS, Engineers Architects Planners, Professional Member Form: STV/Lyon Associates
STV/Management Consultants STV/H/D Nottingham, STV/Sanders & Thomas, STV/Seelye Stevenson Value & Knack

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-18-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2b (3), to allow 51 parking spaces in lieu of the required 66 spaces (1608 E. Joppa Road).

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons (indicate hardship or practical difficulty)
1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the construction of a Wendy's restaurant at the subject property.
2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
Geo. H. Rucker Realty Corp.
(Type or Print Name)
Signature: [Signature]
(Type or Print Name)
Signature: [Signature]
Address: 1403 N. Courthouse Rd., (701) 841-7590
City and State: Arlington, Virginia 22201
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
David Dodrill, Executive Vice President
Name: David Dodrill
Address: same as above
City and State: same as above
Phone No. 75-230-A

County, this 18th day
of this petition be advertised, as
witnesses of general circulation through-
out the County Building in Towson, Baltimore
County, this 19th day of July, 1988, at 10 o'clock
[Signature]
Deputy Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

July 27, 1988



Stanley S. Fine, Esquire.
20 S. Charles Street, 10th Floor
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
N/S E. Joppa Road, 110' E of Green Pasture Drive
(1608 E. Joppa Road)
9th Election District; 4th Councilmanic District
Case No. 89-18-A

Dear Mr. Fine:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Enclosure
cc: Messrs. Robert Boxley and Brent MacDonald
DavCo Food, Inc.
DavCo Building, 1657 Crofton Blvd., Crofton, Md. 21114
People's Counsel
File

ORDER RECEIVED FOR FILING
Date 7/27/88
By [Signature]

STANLEY S. FINE
ATTORNEY AT LAW

52482

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 6/29/88
Posted for: Variance
Petitioner: Geo. H. Rucker Realty Corp.
Location of property: N/S E. Joppa Rd., 110' E. Green Pasture Dr.
1608 E. Joppa Rd.
Location of Sign: Front of property, 8' E. roadway,
on property of Rucker
Remarks: None
Posted by: [Signature] Date of return: 6/29/88
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Mr. Robert Bailey
Davis Food, Inc.
1857 Crofton Blvd.
Crofton, Maryland 21114

Re: Petition for Zoning Variance
CASE NUMBER: 89-18-A
N/S E. Joppa Road, 110' E. Green Pasture Drive
(1608 E. Joppa Road)
9th Election District - 4th Councilmanic
Petitioner(s): Geo. H. Rucker Realty Corp.
HEARING SCHEDULED: WEDNESDAY, JULY 20, 1988 at 10:00 a.m.

Dear Mr. Bailey:

Please be advised that \$100.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 52949
DATE: 7/20/88 ACCOUNT: RO-HIS-COO
AMOUNT: \$ 100.95
RECEIVED FROM: Geo. H. Rucker Realty Corp.
FOR: 7/20/88
VALIDATION ON SIGNATURE OF CLERK

and post set(s), there for each set not



Baltimore County
Fire Department
Towson, Maryland 21204-2536
494-4500

Paul H. Reincke
Inc.
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

May 13, 1988

Re: Property Owner: George H. Rucker Realty, Lessee: DavCo Food, Inc.
Location: N/S E. Joppa Road, 110' E. Green Pasture Dr.
Item No.: 399 Zoning Agenda: Meeting of 5/17/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Art. David Kelly 5/14/88 Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-18-A
N/S E. Joppa Road, 110' E. Green Pasture Drive
(1608 E. Joppa Road)
9th Election District - 4th Councilmanic
Petitioner(s): Geo. H. Rucker Realty Corp.
HEARING SCHEDULED: WEDNESDAY, JULY 20, 1988 at 10:00 a.m.

VARIANCE to allow 51 parking spaces in lieu of the required 66 spaces

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: David Dorrill/Geo. H. Rucker Realty Corp.
Robert Bailey/DavCo Food, Inc.
Stanley S. Fine, Esq.
File

89-18-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
18th day of May, 1988.

Received by: [Signature]
J. ROBERT HAINES
ZONING COMMISSIONER
Petitioner: George H. Rucker Realty Corp.
Petitioner's Attorney: Stanley S. Fine

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner
FROM: P. David Fields, Director, Office of Planning and Zoning
SUBJECT: Zoning Petitions #89-11-504, 89-18-A
Date: June 23, 1988

There are no comprehensive problems requiring comments on these petitions.

[Signature]
P. David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning File

cc: Stanley S. Fine, Esquire

RECEIVED
JUN 23 1988
ZONING OFFICE

CPS-008

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 406
Towson, Maryland 21204
494-3554

June 23, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 399, 400, 402, 404, 405, 406 and 407.

Very truly yours,

[Signature]
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pm1-b

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 11, 1988

Stanley S. Fine, Esquire
20 South Charles Street, 10th Floor
Baltimore, Maryland 21201

RE: Item No. 399 - Case No. 89-18-A
Petitioner: George H. Rucker Realty Corp.
Petition for Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER

Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: STV/Lyon Associates
21 Governor's Court
Baltimore, Maryland 21207-2722

PETITIONER(S) EXHIBIT (3)

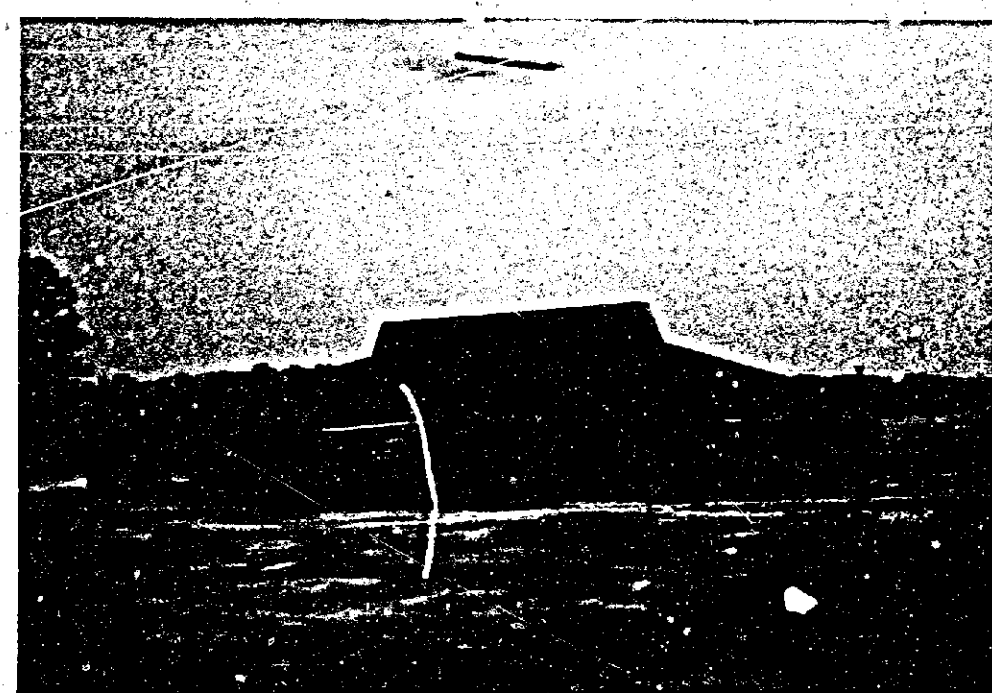


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F

PETITIONER(S) EXHIBIT (2)



G



H

LAW OFFICES
KAPLAN, HETMAN, GREENBERG, ENGELMAN & BELORAD, P.A.

CHARLES B. HETMAN
HARVEY F. GREENBERG
WILLIAM H. ENGELMAN
REBECCA J. BELORAD
EDWARD F. SHEA, JR.
THOMAS D. MILLER
MICHAEL D. HARRIS
SEAN E. NITWICK
JOHN PHILIP MILLER
CONRAD E. HERRMAN
HARVEY E. COOPERMAN
DANIEL L. LATE
DANIEL L. STELLMAN
MICHAEL D. SCHWARTZ
THOMAS D. MILLER
STEVEN A. FREEMAN
BARRY WEISSOFF
CHRIS A. OWENS
BARBARA J. KOWALSKA

SOLOMON KAPLAN
COUNSEL

June 2, 1988

RECEIVED
JUN 3 1988
ZONING OFFICE

HAND DELIVERED

J. Robert Haines, Esquire
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue - Room 109
Towson, Maryland 21204

RE: Item 399
Variance Petition - DavCo Food, Inc.
1608 E. Joppe Road

Dear Mr. Haines:

Please be advised that I represent DavCo Food, Inc., the Petitioner in the above matter. DavCo is the Wendy's restaurant franchise in Maryland, District of Columbia and Northern Virginia. DavCo proposes to build a Wendy's restaurant at the above location.

The purpose of this letter is to request an expedited hearing in this matter. The reason for this request is that extensive delays have occurred in the development of the restaurant at the subject property, which delays have resulted in great expense to the Petitioner and could undermine the future viability of the project. The project as a Wendy's restaurant would increase the County's tax base and create new job opportunities for County residents. The delays have set this project back more than a year and have not been caused by the Petitioner.

The Petitioner owns and operates 11 restaurants in Baltimore County employing over 500 persons. Your favorable consideration of this request would greatly assist the Petitioner's business operations in general and the County in particular.

PETITIONER(S) EXHIBIT (3)

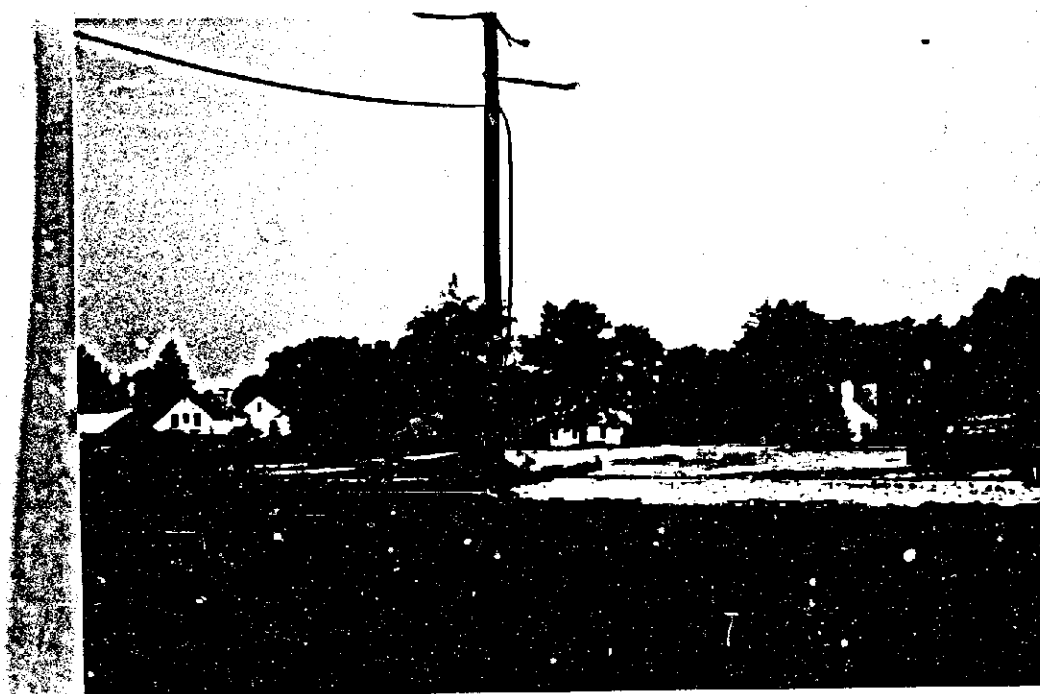


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PETITIONER(S) EXHIBIT (3)



A



B

LAW OFFICES
KAPLAN, HETMAN, GREENBERG, ENGELMAN & BELORAD, P.A.

J. Robert Haines, Esquire
June 2, 1988
Page Two

If there is any further information you need, please do not hesitate to contact me.

Thank you for your consideration in this matter.

Sincerely,

Stanley S. Fine
Stanley S. Fine

SSP:bmh

PETITIONER(S) EXHIBIT (3)



I



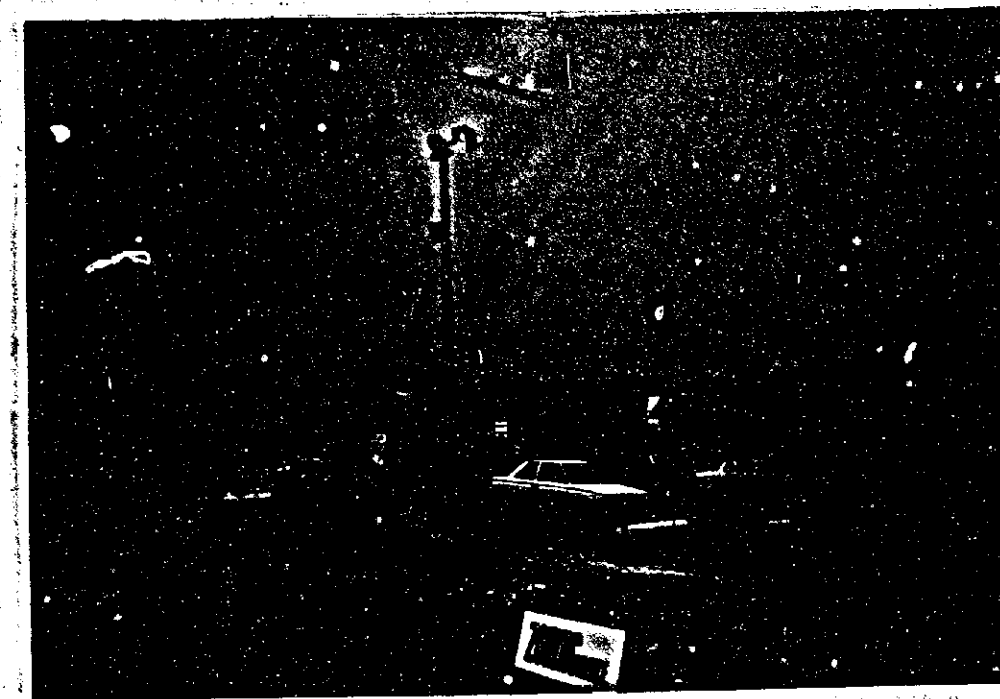
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PETITIONER(S) EXHIBIT (3)

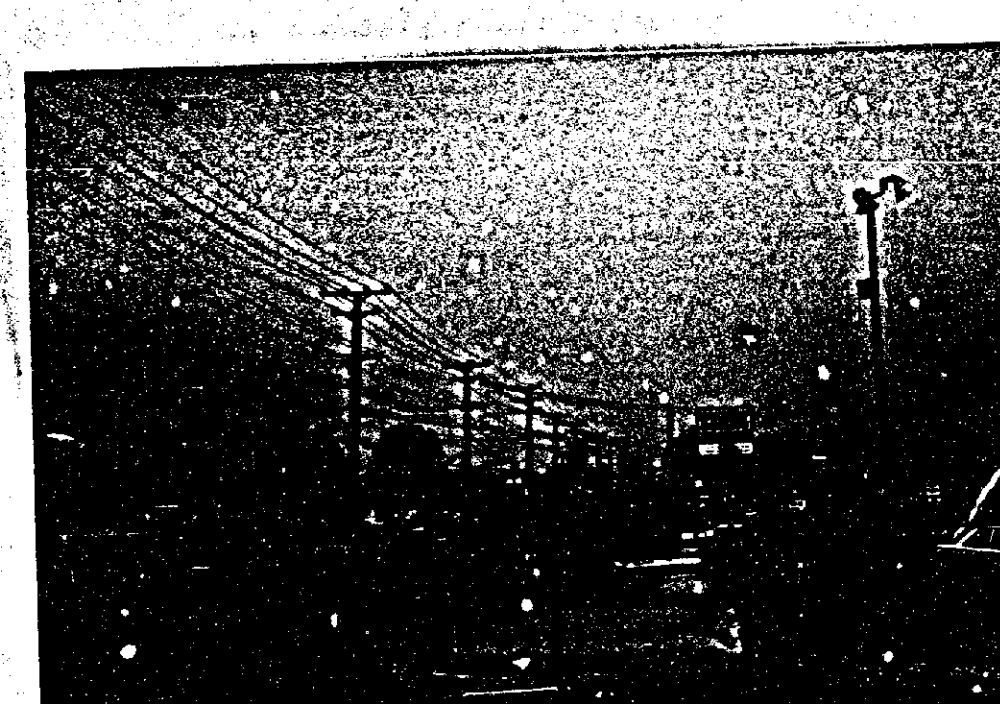


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PETITIONER(S) EXHIBIT (4)

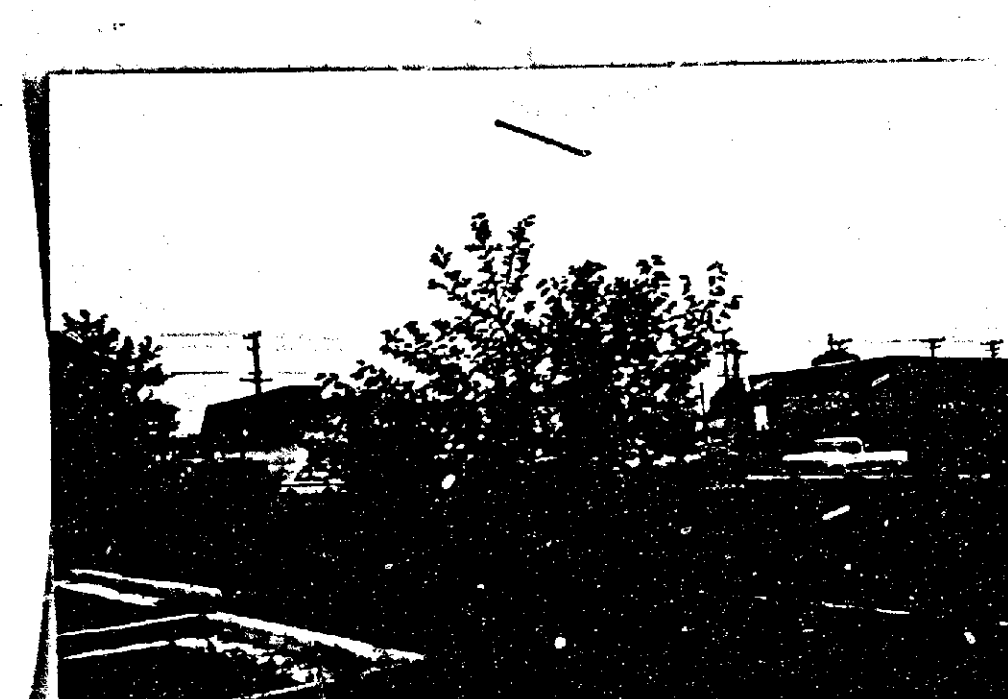


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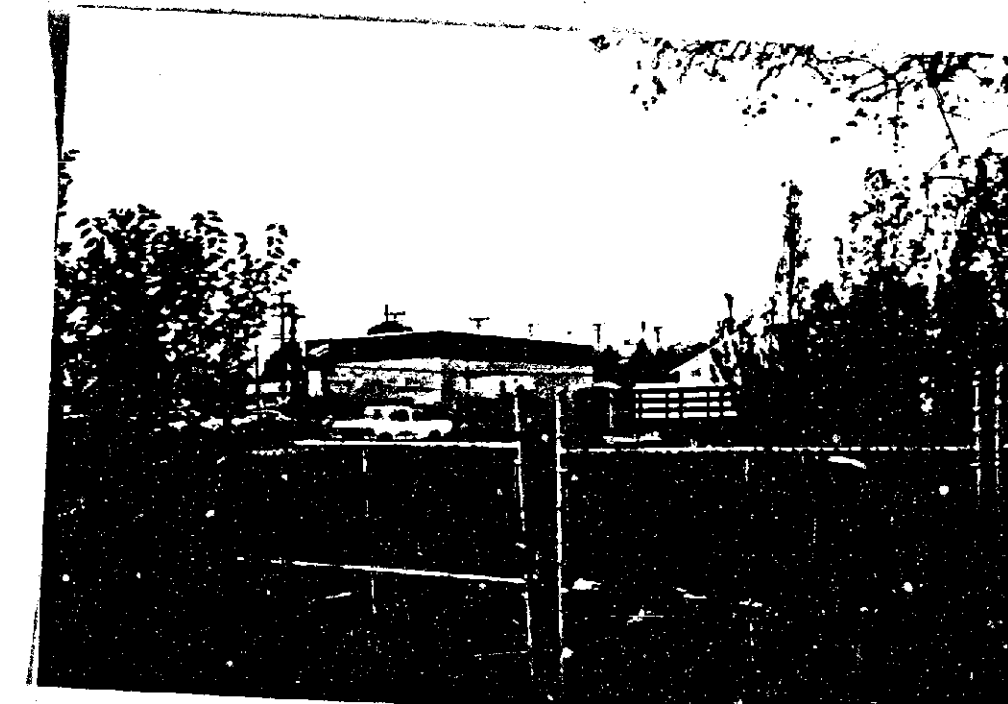


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PETITIONER(S) EXHIBIT (4)



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PETITIONER(S) EXHIBIT (5)



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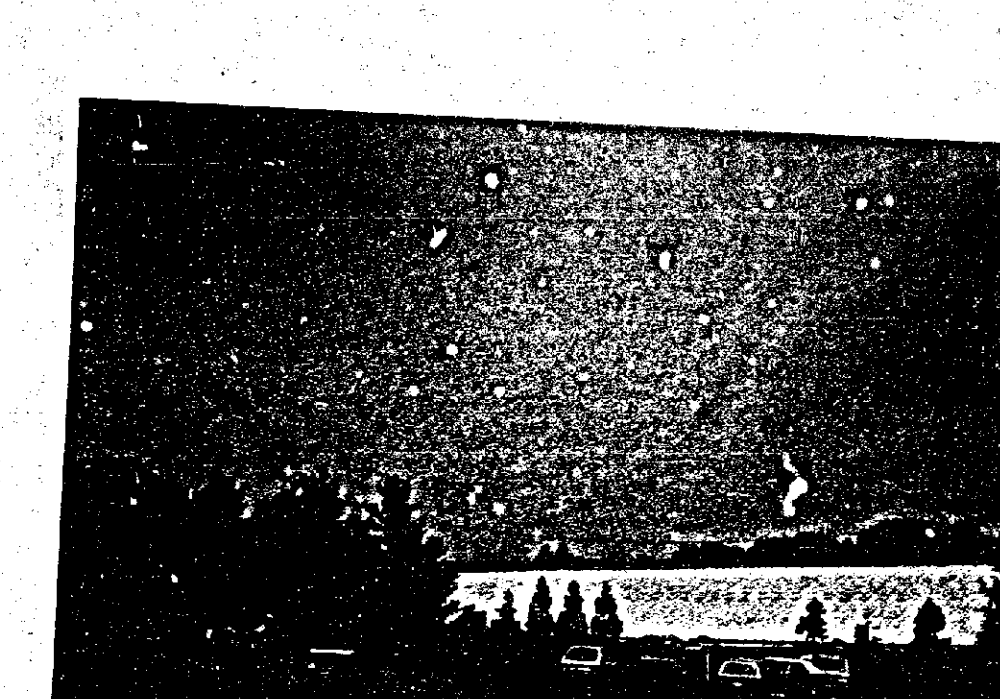


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PETITIONER(S) EXHIBIT (4)



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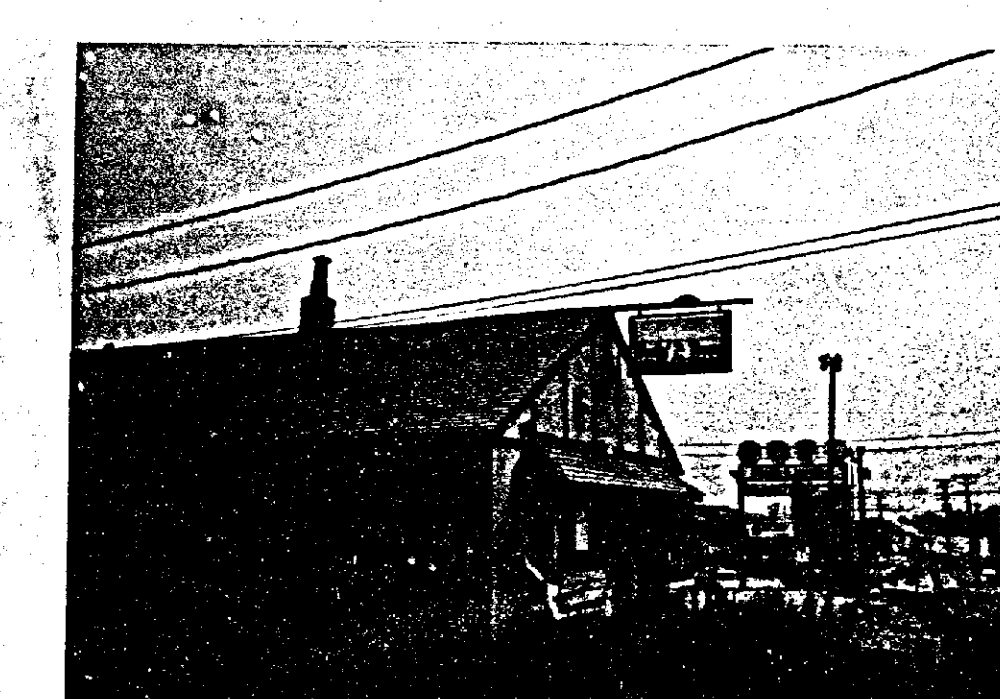


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PETITIONER(S) EXHIBIT (4)



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PETITIONER(S) EXHIBIT (4)

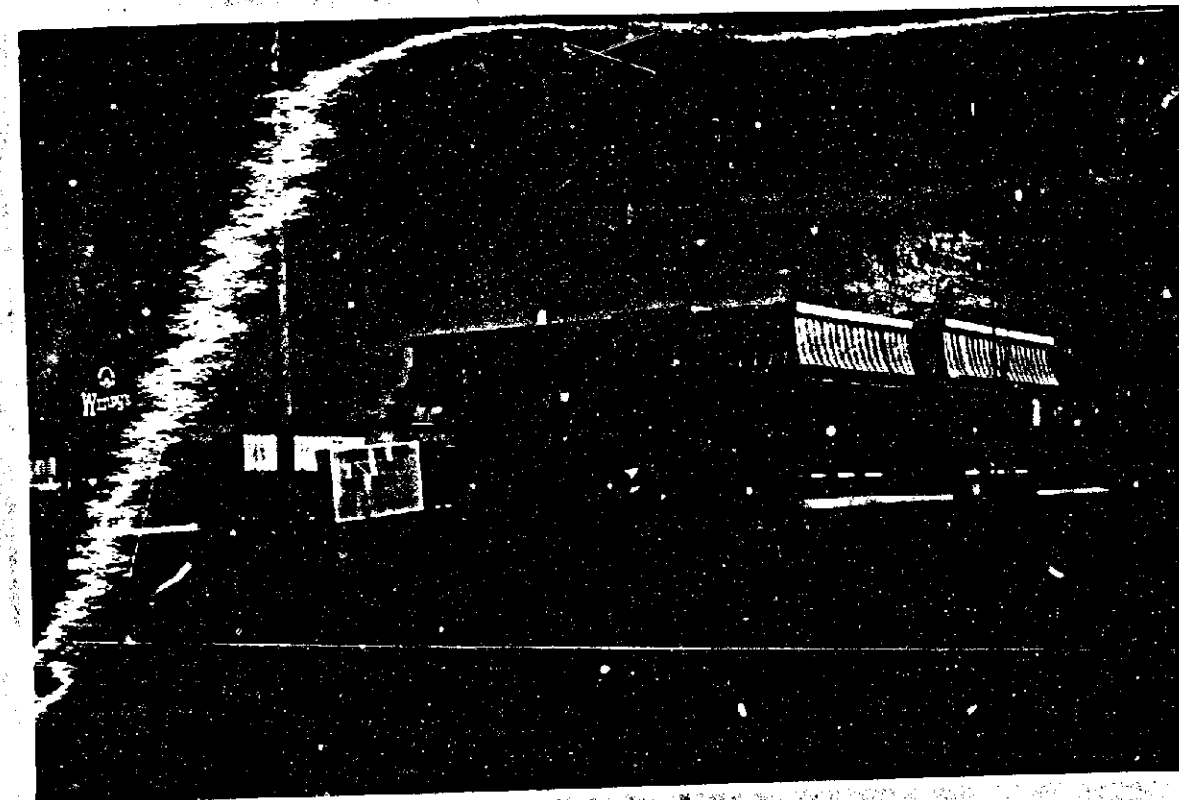


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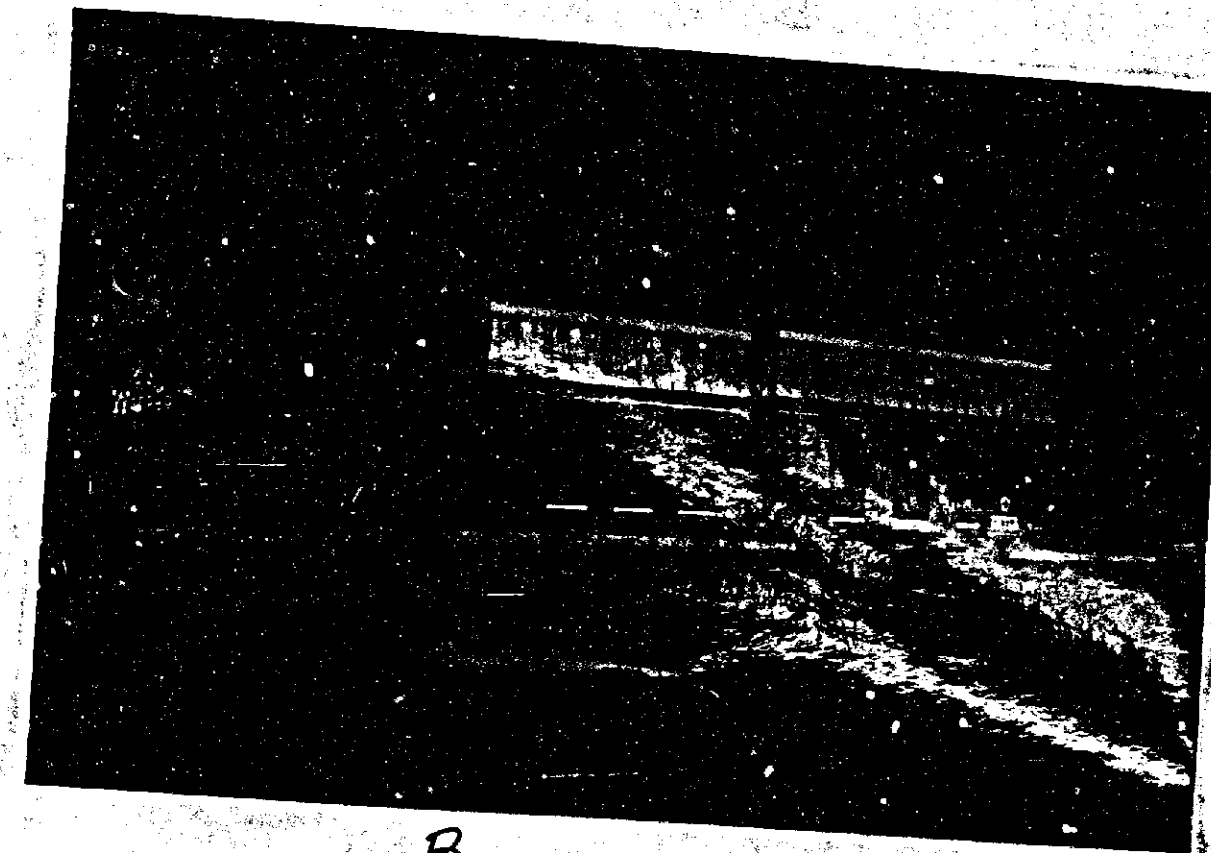


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PETITIONER(S) EXHIBIT (6)

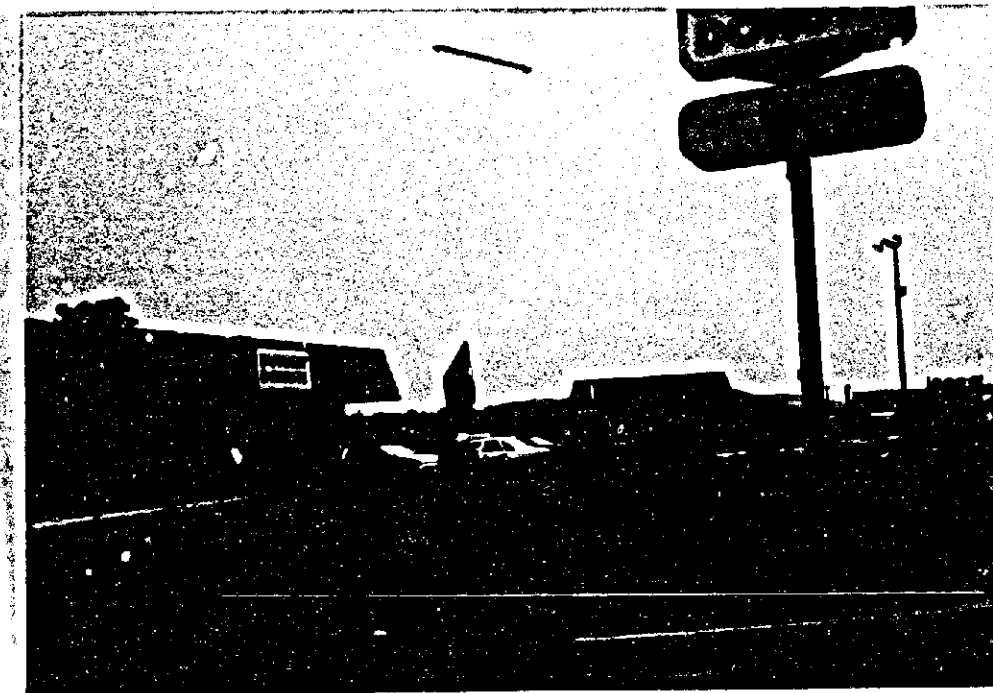


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PETITIONER(S) EXHIBIT (5)



E

PETITIONER(S) EXHIBIT (5)



C



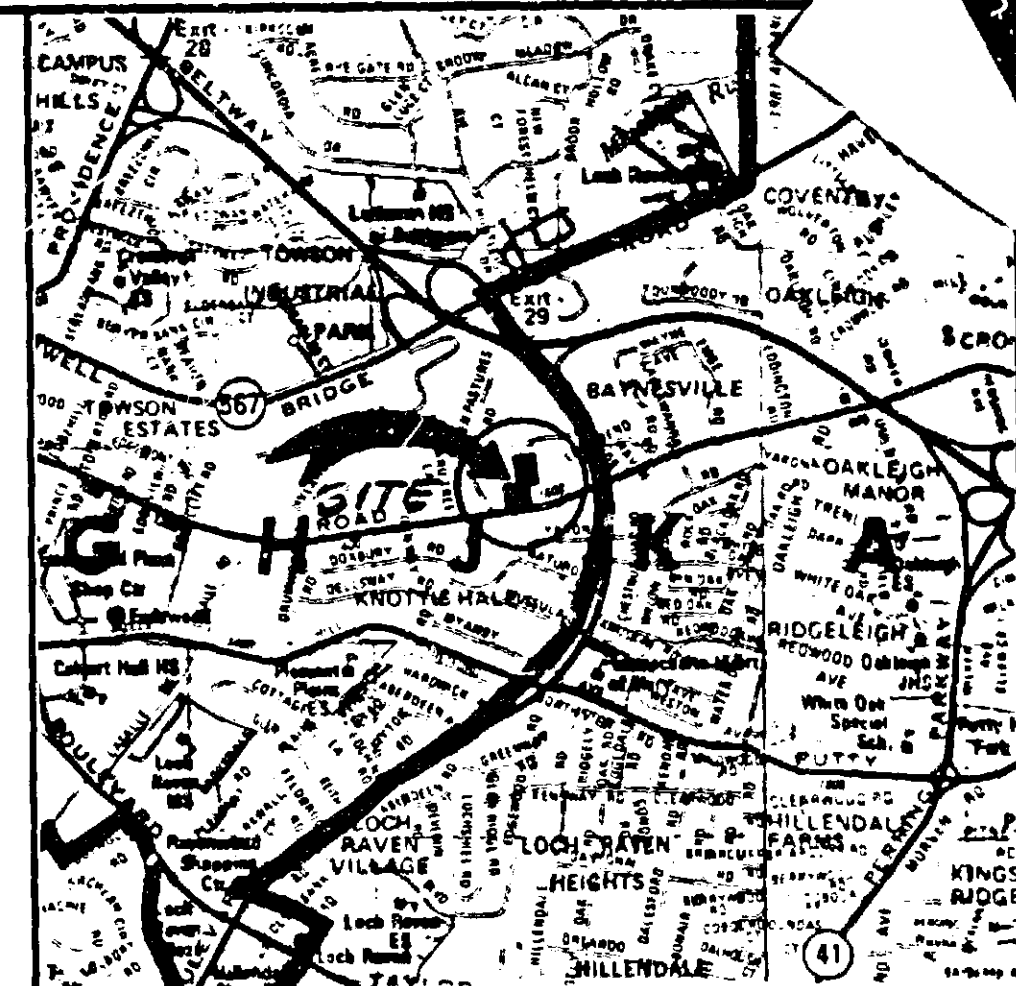
D

POINT OF BEGINNING
ZONING DESCRIPTION

GREEN PASTURE
DRIVE

ZONED BR
ZONED BR

85 M.D. GRID NORTH



LOCATION MAP
SCALE: 1" = 2000'

GENERAL NOTES

1. PARKING VARIANCE REQUIRED
PARKING REQUIREMENTS:
RESTAURANT (SPACE PER 50 S.F. EXCLUDING VESTIBULE AREAS)
FLR AREA: 3353 + 100 = 3453 + 50 = 3503 USE 66
PARKING PROVIDED: 51 SPACES (INCLUDING 3 HANDICAPPED)
2. NO STREAMS OR DRAINAGE COURSES WITHIN 50' OF THIS SITE
3. PUBLIC WATER AND SEWER WILL SERVE THIS SITE

PROPOSED
ENTRANCE
EXISTING
ENTRANCE

JOPPA

PROPOSED
ENTRANCE

(70' R/W)

ROAD

EXISTING
ENTRANCE

PROPOSED
ENTRANCE

EXISTING
ENTRANCE

N06°26'37"W

257.43'

N12°42'12"E

S06°26'37"E

PROPOSED NEW
LINE OF DIVISION

260.63'

PROPOSED
PIZZA HUT RESTAURANT
FLR AREA: 4400 S.F.

S06°37'43"E

262.65'

S01°16'18"W

47.41'

S07°27'42"E

280.46'

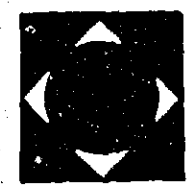
N81°11'23"E

114.00'

James M. Hoffmann

PETITIONER'S
EXHIBIT 1

ITEM No 300



STV / LYON ASSOCIATES

Engineers Surveyors Planners

21 Governor's Court Baltimore, Maryland 21207

Telephone : 301-944-9112

REVISIONS

NO.	DATE	DESCRIPTION
1	9/3/99	PER COUNTY COMMENTS
2	5/6/00	ADD D/T WINDOW & MENU BOARD
3	7/19/00	CHANGE FLR AREA S.F. (PIZZA HUT)

PLAN PREPARATION

DRAWN BY	DATE
DESIGNED BY	SCALE
CHECKED BY	

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

PROPOSED WENDY'S RESTAURANT

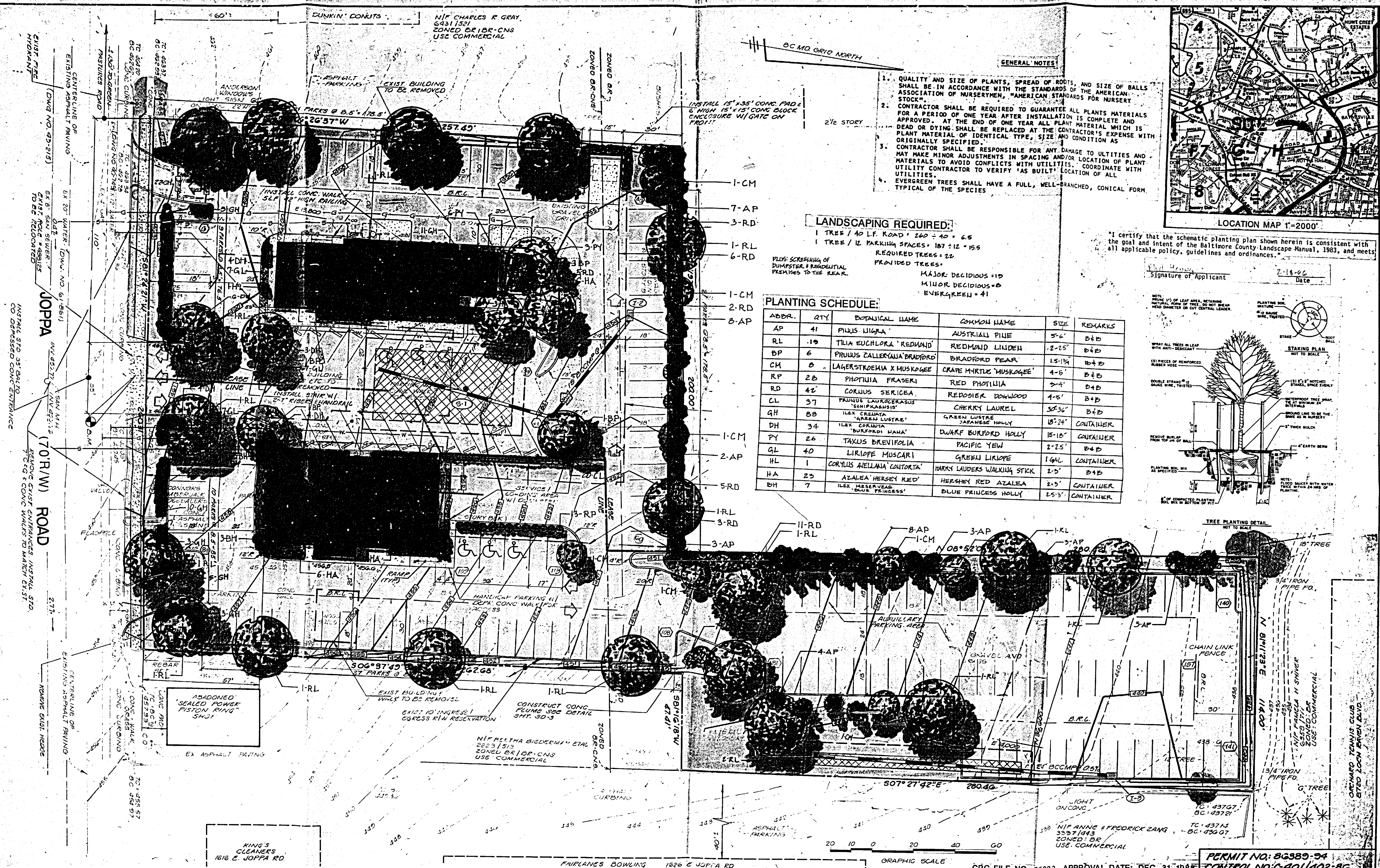
1608 E. JOPPA ROAD
ELECT. DIST. 5 C4 BALTIMORE CO, MD

DRAWING NO.

V-1

SHEET NO.

1 of 1



- GENERAL NOTES:**
1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSEYMEN, "AMERICAN STANDARDS FOR NURSERY STOCK".
 2. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANTS MATERIALS FOR PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND APPROVED. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE WITH PLANT MATERIAL OF IDENTICAL TYPE, SIZE AND CONDITION AS ORIGINALLY SPECIFIED.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS TO AVOID CONFLICTS WITH UTILITIES. COORDINATE WITH UTILITY CONTRACTOR TO VERIFY 'AS BUILT' LOCATION OF ALL UTILITIES.
 4. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM, TYPICAL OF THE SPECIES.

LANDSCAPING REQUIRED:

1 TREE / 40 L.F. ROAD = 260 ÷ 40 = 6.5
 1 TREE / 12 PARKING SPACES = 187 ÷ 12 = 15.5

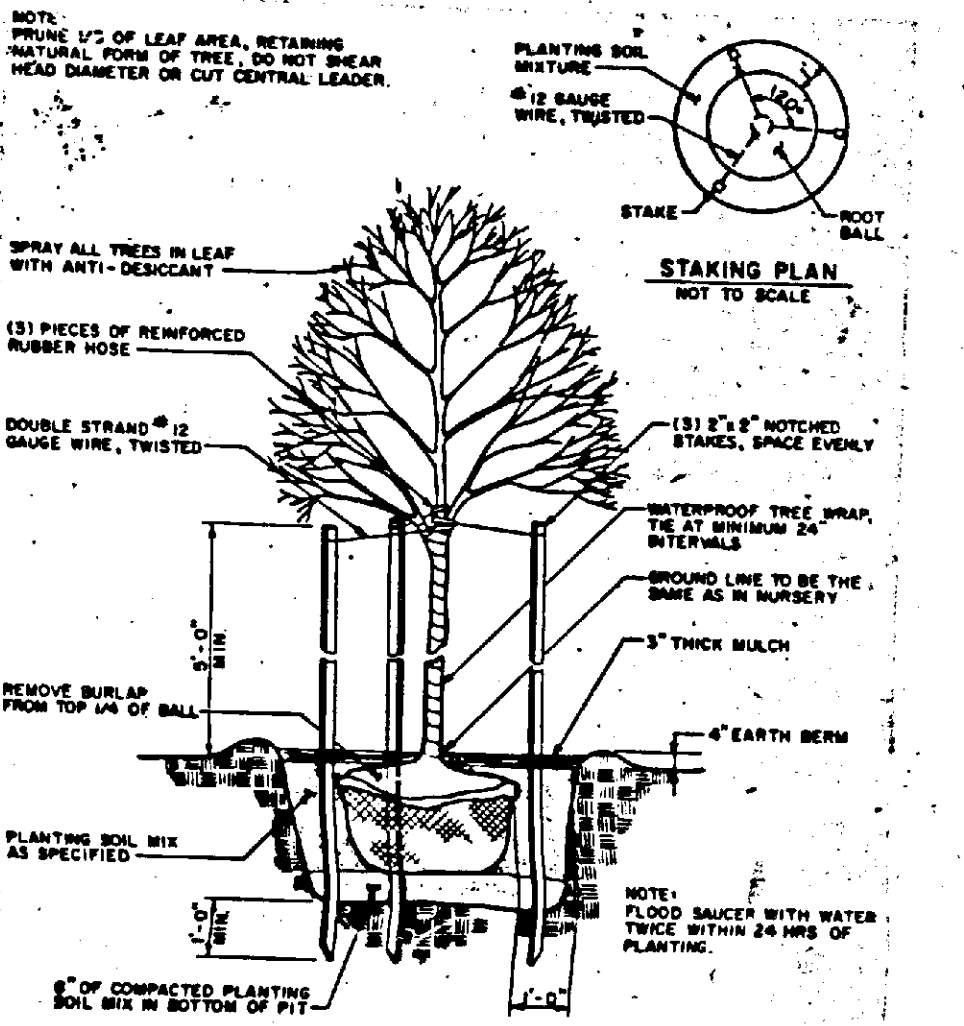
REQUIRED TREES = 22

PROVIDED TREES:

MAJOR DECIDUOUS = 10
 MINOR DECIDUOUS = 8
 EVERGREEN = 4

PLANTING SCHEDULE:

ABBR.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
AP	41	PIRUS NIGRA	AUSTRIAN PILE	5'-6"	B&B
RL	19	ILIA EUGLORA 'REDWOOD'	REDWOOD LINDEH	2'-25"	B&B
BP	6	PRUNUS CALLERIANA 'BRADFORD'	BRADFORD PEAR	15-19"	B&B
CM	8	LAIERSTROEMIA X MUSKOGEE	CRANE MYRTLE 'MUSKOGEE'	4'-5'	B&B
RP	28	PHOTINIA FRASERI	RED PHOTINIA	3'-4'	B&B
RD	42	CORUS SERICEA	REDOSIER DOGWOOD	4'-5'	B&B
CL	37	PRUNUS LAUROCERASUS 'SCHIPHANSIS'	CHERRY LAUREL	30-36"	B&B
GH	88	ILEX CREATA 'SARIN LUSTRE'	GREEN LUSTRE JAPANESE HOLLY	18-24"	CONTAINER
DH	34	ILEX CORNUTA 'BURFORDI NANA'	DWARF BURFORD HOLLY	15-18"	CONTAINER
PY	26	TAXUS BREVIFOLIA	PACIFIC YEW	2'-25"	CONTAINER
GL	40	LIRIOPE MUSCARI	GREEN LIRIOPE	1 GAL.	CONTAINER
HL	1	CORYLUS AVELLANA 'CONTORTA'	HARRY LAUDERS WALKING STICK	2'-3'	B&B
HA	23	AZALEA 'HERSEY RED'	HERSEY RED AZALEA	2'-3'	CONTAINER
BH	7	ILEX MESERVEAE 'BLUE PRINCESS'	BLUE PRINCESS HOLLY	25-3'	CONTAINER



STV / LYON ASSOCIATES
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REVISIONS

NO.	DATE	DESCRIPTION
1	5-2	REAR PARKING AREA & CALCS
2	5-15	ADD PARKING IN REAR
3	5-20	PER COUNTY COMMENTS (B.W.M.)
4	5-28	ENTIRE PER OWNERS COMMENTS

LANDSCAPE PLAN

GRAPHIC SCALE: 0 10 20 40 60

PLAN PREPARATION

DRAWN BY STM	DATE 2/25/86
DESIGNED BY	SCALE 1"=20'
CHECKED BY S.H.P.	7673-59-001

WENDY'S / PIZZA HUT
 1610 E. JOPPA ROAD
 ELECT. DIST. 9 C4 BALTIMORE CO., MD.

PETITIONER
EXHIBIT
 DRAWING NO. 5
 SHEET NO. 5

PERMIT NO: 86389-94
 CONTROL NO: C-401/402-86
 CRG FILE NO: 85283 APPROVAL DATE: DEC. 31, 1985